

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
AT JACKSON

FILED BY *[Signature]* D.C.
05 DEC 15 AM 10:54

GEORGE GORDON,
Plaintiff,

v.

QUENTON WHITE, et al.,
Defendants.

No. 04-1107

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
AT JACKSON

MOTION FOR LEAVE TO LATE FILE AFFIDAVIT

The defendants respectfully request leave of the Court to late file Officer Levon Bates' affidavit. A facsimile copy of Officer Bates' affidavit is attached hereto. The original affidavit has not yet been received by the defendants' attorney's office. Defendants respectfully request an extension of time to December 30, 2005 in which to file Officer Bates' original affidavit.

Respectfully submitted,

PAUL G. SUMMERS
Attorney General and Reporter

[Signature]
PAMELA S. LORCH, Bar No. 8968
Senior Counsel
Attorney General's Office
PO Box 20207
Nashville, TN 37202
(615) 532-2500

MOTION GRANTED

DATE: 16 December 2005

[Signature]
James D. Todd
U.S. District Judge

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was mailed, postage prepaid, by regular U.S. mail, this 14th day of December, 2005 to:

George Gordon #90017
WCFA
PO Box 679
Whiteville, TN 38075

[Signature]
PAMELA S. LORCH

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE AT JACKSON

GEORGE GORDON,)	
Plaintiff,)	
v.)	No. 04-1107
)	
QUENTON WHITE, et al.,)	
Defendants.)	

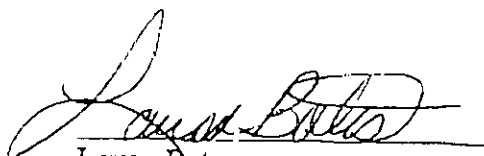
AFFIDAVIT OF LEVON BATES

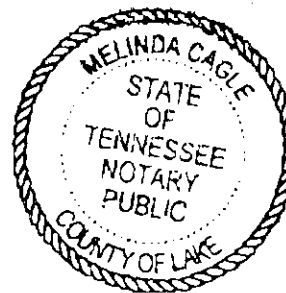
STATE OF TENNESSEE)
) At Tiptonville
COUNTY OF LAKE)

Comes now Levon Bates and being duly sworn does depose and state that:

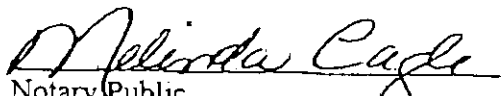
1. I am over the age of eighteen and believe in the obligations of an oath;
2. I began employment with the Tennessee Department of Correction in November, 2000 as a corrections officer and I have served in said capacity ever since said date;
3. A corrections officer does not have the authority to place an inmate in segregation.

Further affiant saith not.


Levon Bates



Subscribed and sworn to before me this 9th day of December, 2005.


Notary Public

My Commission Expires: Sept. 02, 2009



Notice of Distribution

This notice confirms a copy of the document docketed as number 34 in case 1:04-CV-01107 was distributed by fax, mail, or direct printing on December 19, 2005 to the parties listed.

Pamela S. Lorch
OFFICE OF THE ATTORNEY GENERAL
P.O. Box 20207
Nashville, TN 37202--020

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Northwest Correctional Complex, Site 2
960 State Rt. 212
Tiptonville, TN 38079

George Gordon
HARDEMAN COUNTY CORRECTIONAL FACILITY
90017
P.O. Box 679
Whiteville, TN 38075

Honorable James Todd
US DISTRICT COURT